IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION No. 274 OF 2002

PETITIONERS

1. Rajnish Kumar Bansal, aged about 29 years, S/o Dharampal Bansal

2. Rahul Dev, aged about 25 years, S/o Dharampal Bansal

Both residents of village Janjgiri, Tehsil Dhamdha, District Durg (Chhattisgarh)

Versus

RESPONDENTS

1. State of Chhattisgarh through the Secretary, Department of Revenue, D.K.S. Bhawan, Mantralaya,Raipur (Chhattisgarh)

2. The Collector, Durg, District Durg (Chhattisgarh)

3. Power Grid Corporation of India Limited, A Government of India Enterprise, through its Chief Manager, Padmanabhpur, Durg, District Durg (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(43)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 274/2003 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	28/03/2003	

Shri Prashant Mishra, counsel for the petitioners.

Smt. Anju Ahuja, PL for the State.

Admittedly, some land belonging to the petitioners was acquired in the year 1995 under the provisions of Land Acquisition Act, 1894 for the benefit of Power Grid Corporation of India Ltd/respondent no.3 herein. Apparently, as appears from the averments made in the writ petition some part of the land belonging to the petitioners was not utilized by respondent no.3. Accordingly, the petitioners moved applications vide Annexures P/5 dated 04/06/1999 and P/6 dated 01/05/2001 before the Collector, Durg, for return of the land to them as it was not being used by respondent no.3. It is further stated that on 18/03/2002 the petitioners had moved another representation before the Chief Secretary, vide Annexure P/7. But as no action has been taken on their representation, assert the petitioners, they have been compelled to approach this Court for relief.

Having heard learned counsel and considering the legal position, no direction as claimed to command the respondents to

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XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 235/2003 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

return the land to the petitioners can be issued. However, as the representations are pending before the authorities, this writ petition is disposed of by directing the appropriate authorities to consider the prayer of the writ petitioners on its own merits in accordance with law. It is made clear that the Court is not expressing any opinion on the merits of the petitioners' claim or contentions raised on their behalf nor should this order be construed as a direction to command the State Government to return the land to the petitioners.

With the aforesaid observations and directions, this writ petition stands disposed of. Consequently, M.W.P.No.235/2003 for interim relief and I.A.No.644/2003 for urgent hearing also stand disposed of.

Sd/-
P.C.Naik
Judge